

12/03/2021
Unlisted
Court No.1.

Through Video Conference

AST 21 OF 2021

Bibhuti Bhusan Mahato

Vs

The State of West Bengal & Ors.

Mr. Nilanjan Bhattacharya
Ms. Jonaki Saha

..... For the petitioner

Mr. Dipayan Chowdhury
Mr. S. Chowdhury
Mr. Souma Bhattacharya
Ms. Priyanka Chowdhury

..... For the Respondent Nos. 6 & 7

This matter was mentioned before us in view of the fact that MAT 366 of 2021 was being considered on the same issue. This writ petition is filed by one who had submitted nomination for the election to the Legislative Assembly. Judicial review of the alleged rejection of the nomination is sought for. In terms of the decision rendered today by us in *Chief Election Commissioner & Ors. Vs. Ujjwal Kumar & Anr. In MAT 366 of 2021* making reference to the decisions of the Hon'ble Supreme Court of India in judgments *Mohindar Singh Gill and another vs. The Chief Election Commissioner, New Delhi & others (1978) 1 SCC 405*, *Election Commission of India Vs. Ashok Kumar & others, (2000) 8 SCC 216*, *N.P. Ponnuswami Vs.*

Returning Officer, Namakkal Constituency, Namakkal, Salem Dist. & others reported as AIR 1952 SC 64 and Manda Jaganath Vs. K.S. Rathnam and others reported in (2004) 7 SCC 492, we see no grounds to entertain the writ petition challenging the rejection of nomination paper.

Writ petition is dismissed.

(Thottathil B. Radhakrishnan, C.J.)

(Aniruddha Roy, J.)